

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PACIFIC COUNTY TEA PARTY, et al.,

Plaintiffs,

v.

JAY INSLEE, et al.,

Defendants.

CASE NO. 2:20-cv-00971-RAJ-BAT

**ORDER DIRECTING PLAINTIFFS
TO FILE STATUS REPORT**

On June 16, 2020, Plaintiffs filed a complaint. On June 22, 2020, Plaintiff James O'Hagan filed proposed summonses. Dkt. 6. On June 23, 2020, the Clerk of Court advised Plaintiffs that their filing was deficient as a civil cover sheet was not filed and the summonses submitted were not in compliance with LCR 4 and Fed. R. Civ. P. 4 and cannot be issued. Dkt. 5. The Clerk provided a summons form and advised Plaintiffs that fillable summons forms can be found on the Court's website. *Id.* On June 25, 2020, the Clerk of Court again advised Plaintiffs that their summonses were deficient. Dkt. 7. Plaintiffs have not corrected these deficiencies.

Pursuant to Federal Rule of Civil Procedure ("Fed. R. Civ. P.") 4(m), if a defendant is not served within 90 days after the complaint is filed, the court –on motion or on its own after notice to the plaintiff –must dismiss the action without prejudice against the defendant or order that service be made within a specified time. But, if the plaintiff shows good cause for the failure, the

1 court must extend the time for service for an appropriate period.

2 Plaintiffs are responsible for submitting summonses in the proper format for issuance by
3 the Clerk of Court. Plaintiffs are also responsible for having the summonses and complaint
4 served within the time allowed by Rule 4(m) and must furnish the necessary copies (of the
5 summonses and complaint) to the person who makes service. Fed. R. Civ. P. 4(c)(1).

6 Accordingly, it is **ORDERED** that Plaintiffs shall provide the Court with a status report
7 of its efforts to provide the correct summons forms by **August 13, 2020**. If Plaintiffs fail to do
8 so, this action may be dismissed for failure to prosecute.

9 DATED this 6th day of August, 2020.

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12 BRIAN A. TSUCHIDA
13 Chief United States Magistrate Judge
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